

Notice of Allowability

Application No.

10/631,169

Examiner

Hanh V. Tran

Applicant(s)

MACKRILL ET AL.

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 7/10/2006.
2. ☒ The allowed claim(s) is/are 1-14, 16-21, 23 and 26-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office action is in response to applicant's amendment filed on 7/10/2006.

Allowable Subject Matter

2. Claims 1-14, 16-21, 23, 26-32 are allowed. Claims 16-21, 23, and 26-32 have been renumbered 15-20, 21, and 22-28, respectively.

3. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or fairly suggest, (1) in combination with all the elements recited in claim 1, a base plate having an upper surface on which the lifting device is mounted; a mounting plate on which the bag support table is mounted, the mounting plate having an upper surface and a lower surface; and a guide member for guiding vertical movement of the bag support table; wherein said guide member comprises an elongate member protruding vertically from the base and has an upper end which passes through an aperture in the mounting plate during lowering of the support table; and (2) in combination with all the elements recited in claim 28, at least one upper stop member for preventing upward movement of the bag support table beyond an upper height limit; a mounting plate having an upper surface and a lower surface, the bag support table being mounted on the upper surface of the mounting plate; and at least one bracket attached to the lower surface of the mounting plate, said bracket having a lower portion spaced from the lower surface of the mounting plate, the lower portion having an aperture sized to closely receive the upper stop member; wherein said upper stop member comprises an elongate member having a lower end attached to the upper surface of the base plate, the elongate member extending through the aperture in the

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bracket and having an enlarged upper end having an area greater than an area of the aperture, such that when the bag support table is at the upper height limit the enlarged upper end abuts the lower portion of the bracket and is located between the lower portion of the bracket and the lower surface of the mounting plate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gorfain, Herren et al, Dang, Fujita et al, Watanabe et al, Trimble, and Attler all show structures similar to various elements of applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (571) 272-6868. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HVT *HVT*
September 28, 2006

Jm. Will
JANET M. WILKENS
PRIMARY EXAMINER
Atv. 3637